THE SUPREME COURT.

ITS CONSTITUTIONAL POWER AND AUTHORITY.

By the Her. ROSCOE CONKLING of N. Y.

A SPEECH Delivered yesterday in U. S. House of Representatives Mr. CHAIRMAN: I propose to remark upon that part of the message wherein the President informs us that the fate of all the Territories of the Republic mas been irrevocably realed by the action of a Court of law. The announcement is a very extraordinary one; it could pover have been made had our institutions been purely elective. Objectionable as such a system may have appeared to our fathers, it would have preserved the American Congress forever from such a greeting as the present Executive has sent us. With no powers or agencies, rave those conferred directly by the people, and these deprived of the element of growth by provithe Government would not have come when a judicial tribunal would attempt, in the sense implied by the tribunal would attempt, in the sense implied by the President, a "final set lement" of great political questions. Certaicly no such attempt would have been based upon the ones facilities and the per two descriptions of the country, and calculated to enthrone barbarism in every territorial possession, it not in the States them elves. But, Sir, the creeks and balances adjusted by our fathers have proved madequate, to every so drange a contingency. The Government had not reached the allotted age of man, when its judicist department attempted all that I have stated. In a case presenting the simple question of one pour plantiff's right to maintain he action, the Supreme Court has undertaken to fix forever the most sacred rights of millions. The step, to be sure, was premature. Ample in jurisdiction, and the most secred rights of millions. The step, to be sore, was parasture. Ample in jurisdiction, and impatient to exercise it, that saturst tribunal was unwilling to turn a black man from its doors without excessive reasonness. The objection of the planonif was the only point in judgment, and that being determined adversely to him, the case was at an end. Neverthelest the opinions swell into a museum of discussion, which, however distinguished the debaters, deserves no reverence as law. But the formal want of anthority in these disquisitions, is practically important only in so far as it gives pause to evente, and affords time caimly to determine constitutional rights and limitations. That this interval will be long cannot be expected. An occasion must soon arise for impattbe expected. An occasion must soon arise for imparting the forms of law to those promonotory manifestoes. Should it arise during the existence of the present bench, it will no doubt be eagerly embraced, and then will be presented a question, perhaps the gravest of the kine the present generation will be called upon to solve kine the present generation will be called upon to solve. In its first approach it will seem a question of Slavery or Freedom, but it will turn out to be a conflict of preregulare and powers, a collision of forces in the Govanders, and powers and party will be found in the
country meintaining that the Supreme Court of the
United States is clothed with the authority to
say what laws Congress may and what laws
Congress shall not pass; and that whonever
this amhority has been exercised, betther the
Karentive, nor Congress, may overstep the limthis anthority has been exercised, betther the Executive, nor Congress, may overstep the limits it has prescribed. On the other band, organizations, policies, and eternal principles, will cry out against imperial assumptions, and the issue will stretch far beyond even the undiscoverable confines of the one pervading question of human Slavery. Should the Court party prevail, and the Constitution be held to endow the Judiciary with censorable of Cingress the Court party prevail, and the consentation of Congress, the immediate result must be to turn into hold usurpation the leading state-manship of half a century, to ostratical the most numerous and liberal political party in case the most numerous and command the party in the case the most numerous and command reputation to the cles the most numerous and liberal political party in the country, and to set up degmas repugnant to the material interests of the nation, and abborrent to the convictions of the Christian world. Such an epoch could not occur in the history of the present genera-tion, anaccompanied by untoward results. Vident revuletons would end in a restoration of the philosophy of the past, and constitutional majorities, as whatever cost, would sterrly resume their sway. The relation-phile end preferations of Slavery were determined in cost, would sternly resume their sway. The relationships and pretensions of Slavery were determined in this country fong ago. Inspired by the great conceptions in which the foundations of the Government were laid, conscious of the exalted purposes it was intended to subserve, profoundly instructed in its philosophy and scope, the men who inaugurated the Constitution pursued no ambiguous or deviating course on the subject of Slavery. The early Houses of Congress were devoiced to curring the career of this then universally admitted evil. State-men of all parties united in treating involuntary servitude as a stationary and not a progressive institution, and the Federal Legislature was pressive net inition, and the Federal Legislature was the sovereign power invoked to prevent its territorial ener-achinest. The warrant for this policy was found encreachment. The warrant for this policy was found in the Constitution; the free sentiment of the country demanded and vitalized it. That sentiment has been demanded and vitalized it. That scotiment has been gooded to a rapid and continual increase. Deploring Siavery as a sad actional misfortone, revolting at it as a barbarone and detestable crime, the imbaticants of the Free States have ever south by moral and political forces to dismade and discourage it. For long years this was a moderate and forbeating effort, often abated by a spirit of kindness and concession, still oftener by an aversion to angry agitation. But now, changes have passed over us. Violated covenants, changes have passed over us. Violated cov-It wiese and nefarious proceedings, bloodshed upon distant fields, usarpations and bruatities in this Capitol, bravado in this hall, fresh assumptions everywhere, have lashed the public mind into intense activity. From this time forth, we are to have results and not arrangemente, issues and not compromises. The Free States inset that Slavery shall remain localized in the slave-holding States; and that even there, its increase, unided by pirsey, shall be only the odds of the game between birth and death. With an unatherable determined. ministion that Shavery shall never range this continent there lives a hope that even in its a iding places it will wither and de. This, however, is the prayer of human-ity, not the mission of a party. But the Supreme Cour neverts that every acre of the Territories is already the rightful prey of Slavery, and, in the language of the President, that "neither Congress nor a Territorial "Lepislature, nor any human power, has any author "by to appul or in pair this vested right." Such will be the decision of the present Court, and the reasoning be the decision of the present Court, and the reasoning which supports it would carry bondage into every State in the Republic. The whole subject, then, will be vast enough, the conviction of the public mind deep enough, to lay the foundation of a great coullity between legislative and judicial power. The controversy will derive seriousness from its immediate results, but still more from the equilibrium or preputerance it will establish among the three great forces of the Government. Mr Chairman, it is no part of my purpose now to examine the soundness of the argument of Judge Taney and his associates, nor to inquire whether that argument, when it takes on the cancilion of a decision, will be good law or bad. That gunest of Jucge Lany and he associates, not to inquire whether that argument, when it takes on the sanction of a decision, will be good law or bad. That inquiry has been elaborately prosecuted here and elsewhere, and never with more felicity than the other day, when, in treating it, the distinguished gentleman from Ohio (Mr. Corwin) recalled from long handshment the almost forgotten spirit of purinamentary eloquence. My business to-day is with the power of the Supreme Court, not with its wisdom. My object is to ascertain whether decisions of the judiciary are binding upon the law-making department of the Government, and if not binding, how far they should influence legislative action. The war of independence was waged to redices really but a single grievance, and that was the forigination and enforcement of laws not instituted by those who were expected to obey them. The Revolution accomplished dutax single reform and that was to endew the inhabitants of the colories with soversign right to make, unmake, and modify their laws and institutions. The men who died for this great pre-logative, not more than those who lived to achieve and perpetuate it, were profoundly learned in the resulting fourthing or a figure of the colories with soversign registres, not more than those who lived to achieve and perpetuate it, were profoundly learned in the rogstive, not more than those who lived to achieve and perpetuate it, were profoundly learned in the realities of civil libercy. Conversant with the systems of modern statesmen, they had studied the dreams of the old philosophers, who saar vicious of organized freedom before the age of feet governments began. They had pendered the experience of despotisms and comorracies, and explored the parties by which republics had descended from greather a to decay. Their successors, exiles from many governments, had bequeathed a batted of the wrongs of all. The French Revolution was just delivering its terrible message to queathed a batted of the wrongs of all. The French Revolution was jost delivering its ten rible message to mankind. Their own emobing experience, the sympathies, the prayers, the warming of the world, all conspired to elevate their appreciation of that attribute of a people which had perished save in America; I mean complete civilized freedom, freedom unimpained by the existence of a single prerogative residing anywhere save in the people themselves. Thus prepared for their great undertaking, the men of 1787, tent all their energies to the formation of government which should preserve for ever all the liberties just won. If there were those who as purposes were different, these who do afted the loog evity of republican institutions, who, for the sake of imparting strength and stability to the government to be formed, favored the surrender of popular supremaey, they were not the men whose counsel prevailed in the plan that was adopted, or the result that was actuated. The party which ruled the Federal Convention, and which afterward predominated in the deliberation of the States upon the proposed Constitution, was the party which missed on the jealous rescention, by the people of every right and power, not

ment, it is wholly immaterial how far the Government of the United States, is, as now asserted, a Confederation of Sovereignice, and how far it is, as the Supreme Court long ago decided, a union of the recipie themselves. It is then to the Iberal element of the Convention that we must look to discover, as far as the intention of its framers can be carried into its construction now for the first time contended for, by the party calling itself. Democratic, be true, the aposels of limited Government in their earliest ministrations, installed a power, practically as irrevocable and irresponsible as an artificial power could be and more assepting and absolute in its empressey that any judicial tribunal mentioned in history. Not the imperial chamber of Maximitian, not the courts whose records nave been kept by the headenson at the block, certainly no tribunal which has essayed the executations of humanity ever welded such numeasured power. Why, Sir, the infallibility ascribed to the Supreme Court nakes the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution, as the Court now expounds it, is the Constitution we as legislators are sworn to emport, our allegiance is due to an instrument other and different from that which guided those who have gone before us. But without a welling upon the enormity of such a power, let me seems of the anomaly of its existence. The federal pointy of this country is nothing more than three agencies: the Legislative, the Execut three sgencies: the Legislative, the Executive, and the Judalial, all alike constituted by the people to do particular acts. However disguised by titles, or defined by ascriptions, these several departments are more agents of one principal, servants of one mister, acting said being under one common appointment, namely, the Constitution of the United States. Now, by what dish cation of the settled notions of conturies should one of three agents, coeval and identical uries should one of three agents, coeval and identical in origin, determine, not merely for himself, as against all the world, his own powers, but the rights and powers of his creagents, the construction and effect of the common warrant, and the powers, remedies, and rights, of the common principal, and this without except and without appeal. Bear in mind, in the case I am putting, the principal is the jealous people I have described; the powers flung away are the same, just rescued from eternal loss by martyrdom and war. But, described; the powers flung away are the same, just rescued from eternal loss by marry domaind war. But. So, this one over-mastering agent is a more marvelous creation than I have stated. He appointment is perpetual, and was executed in blank, the master not knowing whose name would fill it at first, nor who would ancreed when changes should occur. The other two, of these three sgents, are seested solely by their authorizing power, and they yield up their trasts finally at frequent intervals. But, not withstanding this, the uncounted and unlimited powers were all, we are told, given to the one with the irrevocable appointment. Should we commiserate as mad men, condemn ment. Should we commiscrate as mad men, condem as crimicals, or commend as statesmen, the men wh would introduce into a State such an arrangement as have supposed? Yes, sir, this is no exaggeration of the year. as crimicals, or commend as statesmen, the men who would introduce into a State such an arrangement as I have supposed? Yet, sir, thus is no exaggeration of the setten imputed to those who, on the 25th of May, 1787, with Washington at their head, commenced the task of revising the old stricted confederation. With a Constitution to devise establishing three departments of government, if is now asserted that they constituted one of these departments, supreme, not merely within its own spile;, but supreme in every sphere, and paramount virtually to the Constitution, and to the restricted rights of these who were to ordain it. The department thus inflated with supremacy is the one removed furthest from the origin of all pointical power in this country, its one least in symeathy with the people, and restrained from transpling upon popular rights by noting, save that most unreliable of safeguards—the ficelity of unwatched human nature. It is, Sir, escentially an irresponsible power, but little less at less than an oligarchy in the Republic. I knew there is a power of imposchment lying back in the receives of the Constitution, but, as Mr. Jefferson said, it does not reach the efficiency of a "scarcerow." Corrupt intention, so sheer as to be demonstrable, is the only basis of impendiment decisions can afford, and human intention, hiding among subdeties and preferate, has buffled discovery for six thousand value. rupt intention, so sheer as to be demonstrable, is the only basis of impendment decisions can afford and human intention, hiding among subtleties and protexts, has baffled decovery for six thousand years. I repeat, then, that this overtopping instrumentality is an irresponsible existence decigned as resems to be supposed, to absorb all the elements of political power. Can it be that such was the intention of the fathers of the Government? Unnatural and ruinous as such a perversion of reason and common sense would have been, in the structure of the earliest and rudest democracy, in could hardly have crept into a fabric raises by men. in the structure of the cartiest and rudest cemocracy, is could hardly have crept into a fabric raised by men who built, not in the gray twilight of the morning, but with the rays of erdichlened contaries streaming upon them. In all the models from which they draw their who built, not in the gray with the rays of ordinal honed contories streaming upon them. In all the mode's from which they draw their ideas of free government, where dot they find an anomely like this? Antagonism to such conclointed powers was the rading glory of the land whose laws and customs they obiefly imitated. Monarchy as she was, England had long been ruled by laws made in the people's Parliament; and these laws were employed to every be an advantable to continuous the continuous they could be had no continuous; the little properties of the doctrine that the Court is Monarch, Government, be had no written constitution; her ecclesiastical and royal perceptive dated back for continuous; the little properties of the popular supremacy and right. This example, with its glowing tistory, coming down as an inheritance from parents, must have been atrangely lost increating the transport of the Constitution but the Consti eral Convention. The cebates in the Scate Conventions shed little light on the precise point I am endeavoring to present. With the States, the query respecting the proposed Federal judiciery was how far it would overshow their own sovereignties and tribunals. For challenge, these were inquiries of greater interest the proposed for the convention of the proposed forms of t to them than the bearings upon each other of the red-eral departments. In the Federal Convention, the case was otherwise. There, no subject ear-iler engaged attention, and none received more eritous consideration, than the hez-ards of unrestrained and unbalanced legislative power and the necessity of providing against it. The octates recalled the fate of the Italian republies and the other States which had gone down in darkness, under the fell sway of single unchecked assemblies. under the fell sway of single unchecked assemblies. Every danger of unlimited power to make laws, every objection to it, all the evils it might occasion, were weighed again and again. By common accord, every strick nent necessary was sought after and carefully sejusted and applied. A second legislative assembly, which mucht check and overrule the first, was the earliest expedient adopted. The mode of silecting the members of these two bodies, the duration of their terms of first the heats and ratio of representation. tre members of these two bodies, the daration of their terms of office, the bases and ratio of representation in the case of each, all were different. These divorsi-ties of organization in the two Houses were carefully contrived, in order to check by self-counteraction in-herent tendences to evil. The nature and composi-tion of the legislation being agreed on and perfected, tion of the legislation being agreed on and persector, its powers came to be considered, and then the external checks by which it might be regulated. Its powers were not only defined and guarded, but carefully distributed between the two Houses, so that each should have its exclusive responsibilities which might never be shared by the other. This done, anxious hours were spent in providing and arranging some oute guard to Congress. The first suggestion was the vet power. It encountered a whirtwind of denulcintion. It was at one time proposed to give the Executive a negative upon the action of Congress which should be final. This proposition passed in the negative, every Seite voting against it.

The idea of imposing any rein at all, upon legislation, met with stern resistance. It was opposed as auti-republican, it was stigmaused as an off-shoot of movarchy. So jealous were our fathers, lest anything should fasten uself upon the Constitution, a voring in the least of encroachment upon the democratic ele-ment of the government! And yet, Sir, how harm less, how triling how impotent, is the veto power, compared with the dictatorship now proposed for the Supreme Court. In the first place, the act it authors zes, is corclusive upon no one. After a bill has been vetee, the votes of two thirds of the two houses, still

men whose number is left indefinite by the Constitu-tion, and must ever remain subject to statutory altera-tion, but to a single man, whose very individuality exposes him to rigid accountability. The veto pow-er was not trusted to keepers, selected, nominated and confirmed, without any agency or knowledge of the people, but to an officer chosen by universal suff-rage. Retter than all, the veto power was confided to a custodian who can never abuse it longer than four years, not to men whose life tenures may continue them in place long after their usefulness is ended. But, Sir, we shall find something yet more specific in the doings of the old "State House" to tell us whether he men who immortalized it meant the people vest to link string the folds of a judge's gown. Ju-cicial medding with legislation, is no new invention. vest to lurk smring the folds of a judge's gown. Ju-cicial medding with legislation, is no new invention. The journal of the Convention is a stinging satire upon it, for it showed its head there under the name of a "Council of Revision." On the 29th of May, the third day after its business had began, Edmand Ran-dolph of Virginia, introduced fifteen resolves, which constituted the groundwork of much of the subsequent sction and deliberations of the Convention. The 8th of these resolutions was as follows:

make it law, and a two-thirds of the two houses, still make it law, and a two-third cote is no more than in the first instance, is necessary in many of the States, to the passage of various bills. But, Sir, more than this, the veto power was not consided to a body of men whose number is left indefinite by the Conside-

was the party which insisted on the jealous reservation by the people, of every right and power, not indispensable to the vitality of the Government.

I speak of reservations by the people, and not by the States, because for the purposes of my argu-Mr. E lliott, in the fourth volume of his " Debates," at pages 56, 57 and 60, traces "the decline and fall" of this proposition; it perished for lack of the lights of

worse:

It was then moved and seconded to take into considers
the first clause of the eighth resolution, submitted by Mr. is

Assessed, That the News

the first claims of the eighth resolution, submitted by Mr. Randolph, manely:

**Recover, That the National Executive and a convenient number of the National Justiciary ought to compose a Council of Revision.

It was then moved and accorded to postpone the consideration of the said claims, in order to introduce the following resolution, submitted by Mr. Gerry, namely:

Recolved That the Nathund Executive shall have a right to negative any egislative act, which shall not be afterward passed, unless by — parts of such branch of the National Legislature. And on the question to postpone, it passed in the affirmative Year-blaze bussetts. New-York, Pennsylvania, North Caronina, South Carolina, Georgia. Nays—Connecticut, Delaware, Maryland and Vinginia.

It was then moved by Mr. Wilson and seconded by Mr. Haveliton, to strike out the words, it shall not be afterward passed but by ——parts of each branch of the National Legislature.' And, on the question to strike out the words, it passed onanimously in the logalities.

It was meyes by Mr. Butler, seconded by Dr. Franklin, that the resolution be aftered as as to read:

**Executive The the National Executive have power to suspend

the resolution be abored so as to read:

Resoluted, That the National Executive have power to suspend

Resisted, That the National Executive have power to suspend any legislative not forAnd on the question to agree to the alteration. It passed ununimously in the negative.
A question was then taken on a resolution submitted by Mr.
Gerry, namely:
Resisted, That the National Executive shall have a right to
negative any legislative act which shall not be afterward passed,
unless by two-third parts of each branch of the National
Legislatore.
And on the question to agree to the same, it passed in the
aftirmative.
Yeas—Massechuretts, New-York, Peonrylvania, Delaware,
Virginia, North Carolina, Fouth Carolina, Georgia; S. NayaConnecticut, Maryland; 2.
It was then neved by Mr. Wilson, and seconded by Mr. affirmative.
Yeas—Massachuseits, New-York, Peonsylvania, Delaware, Cirpinia Nonih Carolina, South Carolina, Georgia; R. Nays—Concenteut, Enviand; P.
It was then neved by Mr. Wilsen, and seconded by Mr. Medicen, that the following amendment be made to the last resolution after the words "National Executive," to add the words "a convenient number of the National Judiciary,"
An objection of order being latten by Mr. Handiton to the introduction of the last succidencial at this time, notice was given by Mr. Wilson, econded by Mr. Madison, that the same would be moved to-morrow. Wednesday assigned to recensive.
WEDNARIA — On motion of air. Wilson, seconded by Mr. Madison, to annead the intresolution, which respects the negative to be vested in the "National Executive," by adding after the words "National Executive," by adding after the words "National Executive," by adding after the words "National Executive," by adding after the equation to agree to the addition of these words, it passed in the negative.
Yeas—Connecticut, New-York, Virginia—3.
Nays—Messachusetts, New-Jeres, Peonsylvania, Delaware, Mary into South Carolina, Georgia—3.
Chief Justice Yates, in his secret debates, lets us still further into the feeling aroused by this proposal of Judiciary the proposal of Judiciary the proposal of Judiciary that the pro

Judic at monitors. At pages 60 and 61 of the mode, relates these things:

The ith resolve. That the Executive, and a number of the Judicial officers, ought to compose a countil of revision.

Mr. very objects to the clause, moves its postponement in order to let in a motion, that the right of revision should be in the Executive only.

Mr. Withen consends that the Executive and Judicial ought to have a joint and full negative, they cannot otherwise preserve their importance against the Legislatur.

Mr. King was against the force for one of the Judicial; they may be biseed in the interpretation. He is therefore to give the Executive county to compute heregality.

Carried, to be postponed, six States against four; New-York for it.

The next question, that the Executive have a complois negative; and it was therefore moved to expange the remaining part of the classe.

Dr. Franklin against the motion; the power sangerous, and would be abused, so as to get money for passing bills.

Mr. Madham springst it, tecame of the difficulty of an Exemptive venturing on the exercise of this megative, and is therefore of opplos that the revisional authority is better.

Mr. Leddon's squaret the whole, which are secutive or revisional; the two branches are sufficient decision each other; no danger of subverting the Executive, because his power may by an Convention be so well defined, that the Legislature cannot overless the bounds. bounds.

a on against the negative power in the Executive, bewill not accord with the genius of the people.

Thus it will be seen that but three States favored the consourching "Council of Revision." When the Constitution had taken chare, another attempt was made to open the door between Congress and the Court. The Journal shews, at page 135 of Ethou's development of the court. 4th volume, as follows:
It was neved by Mr. Madison, and seconded, to agree to the

It was merred by Mr. Madisco, and accorded, to agree to the following amendment of the lith section of the fits attriber. Every till which shall have passed the two Houses shall, because it became a low, he securally presented to the Precision of the Lucies of the Supreme Court, for the twice States and to the Judges of the Supreme Court, for the revision of each. If upon such revision, they shall approve of it they shall appeared by a spatial the security of the states of the security of the Judges, shall object, or three-fourths, where the objections at least of the security of the Judges, shall object, or three-fourths, where the objections a least object, where the fourths, where the objections a least object, or three-fourths, where the high chiese, shall agree to pass it, it shall, together with the objections be control to the other House by which it shall because he reconsidered; and if approved by two-hirds, or

would be corrected, must be purely acridental, de-tending wholly upon the will of litigants, so that parilamentary usurpation might go on till language inter-ests had intervened, and never be desovered onless some plaintiff more litigious than his neighbors, should brave the uncertainties of a jury and a District Court. Even overhook the fact that if the right to interpret the Constitution for coordinate branches of the Government, is given to anybody, it is given not to the Supreme Court but to inferior Courts not rained in the Constitution. By section 2 of article 3, the Supreme Court has no jurisdiction of any cases which could well give rise to a constitutional quastion, except for the soile purpose of reviewing the notion of the first property to constitute the continuous first in the courts to correct their streets. Constitute on of interior courts to correct their errors. Conclude, you can, that the district judges and parter of nd are cur constitutional masters. Surmount all obstacles till you come to the provision defining the jama-diction of the Supreme Court is elf.

diction of the Supreme Court itself.

"In all cases effecting embassedors, other public ministers, and o mails and those in wrich a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions, and under such repulations, or Congress shall make."

There is stande, and it comparises every word to be found in the Constitution, giving the Supreme Court jurisdiction in any case whatever. Was that language employed by I wyers and statesmen who meant to employed to Congress to the Court, and not the Court to Congress I. Does it not rather place the Judiciary very much at the discretion of the Legislature I. Manifestly it does, because at any moment an act of repeal very much at the discretion of the Legislature? Manifestly it does, because at any moment an act of repeal or anendment may sweep from the statute book the whole procedure by which the Suprems Court lays hold upon constitutional questions. Were there no other answer to the attempt made by the President and his party unduly to exalt the ermine, this single clause would so far to expense the annihold so far to expense the expense the annihold so far to expense th he party induly to exalt the ermine, this single clause would go far to excure the stubbrniess of men, who will not how to the doctrine that the whole Government of this great associate put away in one lower room of this many-shambered Capitol. But, sir, these are not the only respects in which our fathers were singularly infelicitous, if their design was to cover in the judiciary a fit repository for transcendent pointies! powers. They failed to indicate in any way the number of the Julyss, and it is only indirectly to be inferred that they intended more then one. Thus the believers in a judicial reconvenies was substituted when we context. indecided more than one. Thus the believers in a judicial repercyl must suppose its authors were content that the whim of time should say whether two persons or a me larger number should compose it, only providing that its members should never be removed, however superstinuated or otherwise disabled. Nay, more, Sir; it must be imagined that in conferring political employeemer, care was taken to bestow it ou the only described of the Cavarage. only department of the Government in which no qualifications of any kind are required. To be eligible to the office of President, the person must be of prescribed birth, residence and age. Senators must be at least thirty years old, and their citizenship of the years standing. Even the members of this House, constituting hardly half a department, must have reacted an age at which maturity is thought to legin—a provision depriving some of the doings of this body of that much-needed extension which extreme yourh alone might hope for. All these requirements were deemed accessary by the founders of the republic. But yet, Sr, the gendleman from Kentusky (Mr. Brown), whose name has been called without response, ever since the session began, simply because twentytionally eligible three years ago, to the office of Chief-Justice of the United States, no matter whether he be a lawyer or not. At twenty-one, as well as at eighty one, he might

Shile his ambrosial curis, and give the nod,
The stamp of fate, the sanction of a god.
There, and many other contiderations, which the hour

rule prevents my adverting to, lead me to conclude.

First, that the judgments of the Supreme Court are
hisding only upon inferior courts and parties litigant.
Undoubtedly, when a constitutional question is decided. polong as the Court adheres to the decision, acts of Congress repairant to the principle laid down will be importative just so far, in the language of Mr. Van Buren, as "they depend upon the courts fer their execution," and no further; Second, that the decisions of the Supreme Court are not obligatory upon Congress, in any sense; but, like other arguments, are

addressed to the discretion of Congress. Being the solemn acts of one department of the Government, they are etitled to great consideration from the other departments, and ought not, on frivolous grounds to be repudiated. But, whenever a decision is, in the judgment of Congress, subversive of the rights and liberties of the people, or is otherwise hartfully errepeous, it is not only the right, but the solegon duty of Congress persistently to discreased it. hurtfally erremens, it is not only the right, but the solenn duty of Congress persistently to disregard it. These conclusions, thus hastly stated, are largely sup-ported by high authority. Not fewer than five of the States of the Union, New-Yark, Virginia, Pennsylvania, Wiscorsin, and Georgia, bave from time to time refused, through their civil authorities and tribunals, to submit to even the legal supremacy over them of the Federal Judiciary. Mr. Jefferson as President, treated as unconstitutional, laws which the Supreme Court had elaborately derided to be valid. Andrew Jackson as President, vehemently refused to receive inter-pretations of the Constitution from the Supseme Court, pretations of the Constitution from the Supseme Court, and unprecedented popular majorities sustained and applicated him. Many years ago, the Supreme Court decided that it was competent for Congress to charter a United States Bank, yet, from that day to this, as the English fire a gun in passing Copenhagen, so the Democratic party, in all its convocations, from a ward caucos to a national plaza de tore, solemly resolves that a United States Bank is unconstitutional. Ad an early day the Supreme Court decided that one Dusne, was not a citizen. On precisely the same facts, this House decided that William Smith was a citizen, and admitted him to his sent. These are some of the acts which have gone into history, to cry out against the right of Judges to control the action of coordinate branches of the Government. The same is of the country record the opinions of men, The same s of the country record the opinions of some of them illustricus, some notorious, and all con-prisonus in the nation's caser, fortifying my position.

I will refer to some of them. In replying on the 11th of September, 1804, to a letter from Mrs. Adams, Mr. Jefferson wakes use of this emphatic language, which may be found at page 561 of the fourth volume of his

may be found at page 561 of the fourth volume of his works:

"You seem to think it devolved on the Judges to decide on the validity of the sedition law. But nothing in the Constitution has given them a right to decide for the Executive, more than to the Executive to decide for them. Both magistrates are equally independent in the sphere of action assigned to them. The Judges, believing the law constitutional, had a right to pass a sentence of the and imprisonment, because the power was a sentence of the and imprisonment, because the power has a rentence of the and imprisonment, because the power has the executive, believing the law to be unconstitutional, were bound to result the execution of it, because that power has been consided to them by the Constitution. "Set the opinion which gives to the Judges the right to decide what laws are constitutional and what not, not only for themselves in their own appears of action, but for the a egistance and Executive as is, in their sphere, would make the Juddelary a despote branch."

In a letter addressed to Mr. Torrance on the 11th of June, 1815, and which appears at page 461 of his 6th

June, 1815, and which appears at page 461 of his 6th

the Executive of Legislative orange. Continues the finding of character, and of crime, being secribed to the Indiges through a dendile course of legal proceeding. It was involving such quastions being, of course, to them and as they decide on them universety, and without appear they of course decide for themselves. The constitutional vehicly of the law or issue again prescribing Executive action, and to be administered by that makes ultimately, and without appear, the Executive must excide for themselves also, whether, under the Constitution, they are valid or not. So, also, as to laws porenting the proceedings of the Legislature—that body must judge for itself the constitutionsity of the aw, and equally without appear or control from its coordinate branches."

In writing to Mr. Jurvis on the 28th of September 1820, to acknowledge the receipt of a political work in which the suthor had ascribed large powers to the Court, he thus expresses his dissont. [Vol. vii., page 178]

You seem in pages 34 and 148 to consider the judges as

"You seem, in pages 84 and 148 to consider the Juoges the chainste arbitrary of all constitutional questions; a very degroup dectrine inviews, and one which would place us under despotion of an 'ligarchy. Our judges are as homes not one and to those on. They have, with others, the same pates for party, for power, and the privileges of their or their maximus is been judges at ampliane juris inflormen, their power the more dangerous as they are in office for iffer not responsible as the functionaries are, to the elective contract to wholever hands on infield, with the corruptions of that departy, its members would become despots. It has a westly made all the departments co-equal and co-sovereign with the more."

when housed all the departments co-equal and converging within themselves."

At page 192 of the same volume, he thus expresses himself in a letter to Mr. Ritchie, dated Doc. 25, 1829;

"The Judiciary of the United States is the subile corps of suppers and miners, constantly working under ground to undermine the foundations of our confederated fabric. They are constraint on the toundations from a contribution of a general and special Government to a general and special Government to a general and supreme one show. This will lay all trings at their fact, and they are too well versed in English law to forget the maxim. bond judicia set ampliars jurisdictions." We shall see if they are hold enough to take the daring stride their five awyers have lately taken. If they do, then, with the enter of our book, in this address to the public, I will say, that against this every man should raise his voice, and note, should uplift his arm."

Now, Sir, bear what Gen. Jackson proclaimed in a

lie, I will say, that "assinst this every man should raise his voice," and more, should uplift his aim."

Now, Sir, hear what Gen. Jackson proclaimed in a public message, on the 10th day of January, 1832, a few months before his redicction to the Presidency:

"If the opinion of the Sogneme Court covered the whole ground of this act, it cought not to control the coolinets suthoffited this foresmoent. The Constras, the Executive, and the Constitution. Each poule officer, who have an each to support the Constitution. Fach poule officer, who have an each to support the Constitution. Fach poule officer, who have an each to support the Constitution as it is understood by others. It is as much the day of the President, to decide upor the constitutionality of any bill of the Durace of Representatives, of the Sousie, and of the President, to decide upor the constitutionality of any bill or resolution to the heat may be presented to them for message or approved as it is for the Supreme Judges, when it may be brought before them to juddels decided. The option of the Judges has no more suthern's over too gress than the opinion of Congress has over the Indyes; and on that point, the President is independent of both. The authority of the Supreme Court must not, therefore he permitted to not of the Congress or the Executive when acting in their legislative expacting, and to have only such influence as the force of their reasoning may deserve."

These, when Je the Marshall and his compeers address the European Bench, were the doctrines with which the Democratic party won Presidential triumphs.

Let me read in this connection from a speech delivered of the Supreme to the Pith of January 1802, by the

grandiather of the present Vice-President. On a motion to repeal the Judiciary act, then fately passed, Mr. Breckinridge said:

"To make the Constitution a practical system, the power of the Constitution a practical system, the power of the Constitution in the Constitution of the constitution of the soliter, in the words, is, that the Constitution "To make the Constitution a practical system, the pos-the counts to annul the laws of Compress cannot possibly. Ny idea of the subject, in low words, is, that the Consti-lationdes a superation only of the powers vested in the of great departments, giving the each the exclusive authori-acting on the subjects committed to each that each is in-set to resorte within the sphere of its own orbit, is re-sible for its own motion only, and is not to direct oreo-the course of others. That those for example, who mak-laws are presumed to have an equal attachment to, and in in, the Construction, are equally bound by oach to suppo-and have an equal right to give a construction to it. The construction of one department of the cowers particularly we in that department is of as high authority at least as the strictton given to it by any other department, that it is in more compets it to it at department of when the powers are

construction of one department of the sewers particularly vasced in that department is of as high authority at least as the construction given to it by any other department, that it is in fact more compete to that department to which such powers are excitatively confided, to decide upon the proper exercise of those powers that any other department to which such powers are not intracted and who are not consequently under such high and responsible obligations for their constitutional exercise; and that, therefore, the tegislature would have an equal right to amount the decisions of the Courts founded on their construction of the Constitution, as the Courts would have to small the acts of the legislature founded in their construction."

Having mentioned the Vice-President, it may seem a violation of official decorate not to refer to his superior in place. Mr. Buchasan, in a speech which he made in the Senate July 7, 1841, which is to be found in the 10th volume of The Congressional Globe and Appendix, No. 2, page 163, used this language:

"But even if the judicity had settiff the question, I should never hold myself a one by tach decision while acting in significant character. Unlike the Senator from Massachusetts (Mr. Bures), shall never concent to place the political rights and Flusties of this people in the hums of any judicial tribunal. It was there fore with the unions a non-librative character when the intension and hold on the those power of equal authority with the text of the Constitution by the Judiciary to be equal within which was never before claimes for any human tribuned, an in fallicitity which would convert freemen into shiert sleves; an infallicity which would convert freemen into shiert sleves; an infallicity which would convert freemen into shiert sleves; an infallicity which would convert freemen into shiert sleves; an infallicity which would convert freemen into shiert sleves; an infallicity which would convert freemen into shiert sleves; an infallicity which would convert freemen into shiert

Citef Justice Marshall; but I should never have consented to make even him the final stritter between the Government and people of this country on questions of constitutional Boerry. The expedience of all ages and countries has demonstrated tima-ludges instinctively uses toward the propositives of Govern-ment; and it is noto-tone that the Court, during the while period which he presided over it, embracing so many years of its absence, has inclined toward the highest assertion of Fed-eral power. That this has been done honestly and conscientious-ly, I enterisin not a doubt."

These are expinge of the days when Mr. Buchanan had, as he decisted, phanted himself on the Missouri Compromise line, there to remain forever. They were intered lerious he wendered, as he afterward said he did, that any one should have supposed that line ought not to be abrogated.

While calling attention to the effusions of great authors, I must not pass over another relic, preserved in The Congressional Globe. Mr. Toombs of Georgia, who expounds movern Democracy sometimes at the other end of the Capitol, once paid his respects to the Judiciary in a speech on the floor of this House, in the following deferential terms:

"The only difficulty on this point has arisen from some deci-

"The only difficulty on this point has arisen from some decli-"The only stifficulty on this print has arisen from some declinease it the Supram Court of the United States. It is true, they have taked varied Soverthees of the general sorreignty of the Federal Government. I attach but little importance to the position views of that tribunal. It is a safe depository of personal rights; but I believe there has been no assumption of political power by this towermassis which it has not vindicated and found somewhere."

These reminiscences will lead some to smile at the twisting of politicians, and some to deplore the infirmity or human nature, but they must inspire us all with thankfulness that while men falter und change, the Constitutor, him the eternal principles are which it stands.

tution, like the eternal principles on which it stands, is unchangeably the same. In 1810, Mr. Jefferson is unchangeably the same. In 1810, Mr. Jefferson wrote Mr. Gallatia: "At length, then, we have a "chance of getting a republican majority in the "Supreme Juniary." In 1860, Sir, we have a chance to no and do likewise, and I trust we shall improve it. A reorganization as d reinvigoration of the Court, with just regard to commercial and political considerations, is one of the anapicious promises of Republican ascen-

dency. It if high time that appropriate weight should be given in the Court, and elsewhere, to all portions of the country, not excepting those in which a vast pre-ponderance of its wealth, its business, its intellect, and its numbers reside. With this reform accomand its numbers reside. With this reform accom-plished, the vampire of Slavery, now flitting among the thadows of a sheltering tribunal, will spread its wings once more over that hospitable domain where its ministrations are considered essential to the full development of "the highest type of white civiliza-

CALIFORNIA.

From Our Own Correspondent

San FRANCISCO, March 23, 1860. We have had some more rain-a good day of itsince the steamer sailed. It is about time now for it to "dry up." We have had just the proper amount of water this Winter, and at just the right times for the farmer and miner-that is in the northern part of the State. In the couthern part it seems there never will be enough. This has been decidedly the pleasuntest Winter which the Americans bave seen since 1846warm, clear, regular weather, with just enough of the

warm, clear, regular weather, with just enough of the watery element, for if more had fellen is would have injured the labors of the miners and farmers in the northern part of the Sante as much as it would have benefited the farmers of the South.

We pay very close attention here to elimatic changes in the Winter, because our wealth depends upon them. We begin our conversations, not by remarking upon the weather, but upon the climate—a wider subject, and requiring a traveled person to appreciate is. As we have a dozen climates in California, we can all talk about them. While Napa is wet as a swamp, Santa Clara is dry as timber; and while the Sacramentans are bistering with heat, we in this city shiver with our overcosts buttoned up to our chins. March has brought rough winds with him, and dozing this week the meckness of our Winter's cun has been succeeded by winde as cold and harsh as those of July and Angust.

Angust.

The prospect for fruit is excellent just now, but the Two man in Napa County, each having about 100 acres of crebard, have each \$50,000 at least depending on the weather between this and the 20th of April. If there be no severe frests, the produce of their two orchards will reil for at least \$120,000; if the frests be severe, will seil for at least \$120,000; if the frests be severe, the produce will be worth little or nothing. They keep men on the watch every night, and it there is danger of frest, nonerous lines are built between the rows throughout the crehard. In other counties near the pay equally large interests are endangered by Jack Frest.

We have been astonished at the accuracy of Mr. Greeley's knowledge, and the closurers of his observa-tion, in regard to our agriculture and horticulture, during his brief visit to California. Such a statement during his orief visit to California. Such a statement of our resources was wanted, and no one could have made it in better style—that is, for the central part of the State, and in regard to the staple articles of farm culture. It is a book for farmers and practical men; by far the best book of the kind ever written on this country. Greeley addresses the worker; Bayard Taylor's letters have excited much less interest here, because he writes personal adventure, and skips about to make comething entermining for those who know little of industry, and read not to learn, but to kill time.

We have nothing to say against Mr. Taylor's letters on California; we are very well pleased with them, but Greeley is a worker like ourselves, and he talk releasily, crirectly, and exhaustively about those

talks clearly, correctly, and exhaustively about those matters which nearly all our population, and in which most of us take a lively interest. Taylor, in one of his letters, mentions a red best weighing 115 pounds, exhibited at the State Horicultural Fair, in this city last Indiced at the State Horicultural Fair, in this city last Summer. An editor of an interior paper, denied that the State ever produced so large a beet. He was wrong, however, for I saw the monster, and it looked as though it might well weigh so much. There is another mammoth of the same species—the common red beet stack—growing now near San Antonio, in Alameda County. It probably weighs over 60 pounds. I am convinced that red beets can easily be grown here in large numbers, to weigh 50 pounds each, but it would not pay, so it will not be done.

Washoe continues to be Washoe the mighty. Money is ged and Washoe is his prophet; so says everybody, but whether every body will make a profit by going thither is a question of queen sabe. An "I rishman, as street rumor designates him, arrived here from Washoe night before last, with \$42,000 in cash, made in a few months by taking op claims and selling out.

Washoe night before last, with \$42,000 in each, made in a few months by taking up claims and selling out. Mr. Frank Soule, whose name as a prominent San Francisco editor during the last ten years is familiar to all Californians, has purchased an interest in The Carson City Enterprise, and has gone thither to take editorial charge. The demand for money to invest in Washoe, and to pay for going to Washoe, and to maintain acventurers while stopping there, has made our money market exceedingly tight; it is like the Fraser times. This state of affairs will probably last four or six weeks longer; shipments eastward will be small, and tensors compelled to raise cash will be made to and persons compelled to raise cash will be made to enfler. San Francisco will not derive as much profit directly from this fever as she did from Fraser, because then everything had to pass through here; but Sacramento is the starting-point for Washoe, and that will be enriched. However, Washoe will prove less injurious to the general interests of the State than did Fracer, for people going to the latter place spent their money beyond our borders, and built up towns and ommunities for away; while now their money will go into the pockets of our own residents, and they will make settlements near us, and dependant commercially

The Honey Lake people are trying to get up a war Clark, commander of this military division, requesting him to rend a empany of dragoot a to make war on the Pah-Utah Ledans, with whom he says "we are "about to be plauged in a bloody and protracted war." He seems to know just what is going to come, and if the people in his neighborhood are of the same mind, the war will come beyond a doubt. The source from which he learns the approach of such a wer is a sus-pcion that those Indians killed Dexter E. Deming on the 13th of January last, and Peter Lassen and seven others many mentes upo in the early part of last year. I say a suspicion, because there is nothing more to an a suspicion, and even if there were proof of killing, crime would not be established, for killing may be justifable, and very often is when white men are slain among the Indians. In regard to the killing of Lussen and party, nothing more is known than was known has Sommer. But we do know that these Indians have generally of late treated the whites very well, eral of their chiefe have got a reputation ndliness and faithfulness to promises, Win Some of the Honey-Lake people, where Roop re

Some of the Honey-Lake people, where Roop resides, have cattle in the valleys occupied by the Indians, and the latter require an occasional bacf as pay for passurage, and this appears to be one of their gravest offenses. Whether there is anything wrong in that, or whether the white would not do the same, every one may judge for binnelf. Passure is scarce east of the Serra, and these Pah Utahs having visited the Sacramento Valley repeatedly, know what good grass is worth, and they lay claim to that in the immediate visibility of the reachertas. liste vicinity of the r rancherias.

The Japanese have been receiving many additional

military officials, and foreign Counsels, dressed up in the spleneidest patterns of timeded toggery, have vis-ited trem, and exchanged complements. Yesterday they had a public reception in the City Hall; in the evening they had a dinner with the high city officials at Job's Restaurant. Our harbor has been booming almost constantly with the salmes paid to them and returned. They have conducted themselves well, and leave a very favorable impression on the minds of all who have been close at hand. Of course the conver-

who have been close at hand. Of course the conversation with them is not very brilliant, since only one
of them can speak English.

The site noon, the Cardiomarron will go to Mare
Island to be put on the Dry Dock. From Mare Island,
it is arranged that they shall go to Napa and visit the
farm of J. W. Oeborn, reputed to be the first farmer in
the State. The Japanese Admiral is a farmer himself,
and several of the officers under him own large tracts
of land with numerous tenants. It is presumed, therefore, that they will take an interest in the American
methods of verforming farm labor. Oeborn will give methods of performing farm labor. Osborn wil give them a chance to cre. He has a princely place—that is, in the extent and richness of the land, the beauty of its location, the thoroushness of its tillage, and the variety of its products. When the Japanese get there, he will show them everything. He will get out all instances of the contract of the plows, cultivators; seed-sowers, respers, and thrashers, and me them all, for he has grars high enough to cut and grain in sheaf to thresh. He will show them a hundred and ferty acres of excellent orchard, a large dairy and betnery, at all which Mr. Japanman will make big eyes if he knows how to admire the wonderful, and is not too thoroughly imbued with the maxim of Nil admirari.
Some people wish to know why we show such honor

to the Japaness, while we treat the Chinese so con-tempineusly and barshly. There are several reasons. First: These men are intelestinally superior to the Chineman, though physically there is a strong resem-blance. Secondly: These are high official representablance. Secondly: These are high official representa-tives of their fore gu Government, such as we have never had from Chins. Thirdly: These men have come over at the invitation of our surforities. Fourthly:
They have come into contact only with gentlemen of bigh position here. If they had been thrown into our streets, to be justled by every follow of low prejudices, they might have been more rudely treated. Fifthly:
They are new and corrosities. Sixthly: They have not come into competition with our population; white the Chinaman is hated by considerable classes of the

white population, on account of the steadiness which he labors and the economy with white

Ever.

Several ladies have gone to the Candinmarroh, but have not been admitted on board. There is some question as to the motive of this order: I presume it is contrary to their customs to have women go on board.

war ships.

The Bulkhaad bill is still bothering the Legislature,
George Gordon, whose name is familiar to California,
has offered to build the bulkhead at one-tenth of the eshas offered to build the buildhead at one-teach of the estimate made by the Company now trying to get the franchise. His offer is accompanied by certificates from mechanics of various classes, showing that the work can be done at his figure. The enemies of the bill say they have a promise from the Governor that he will veto the bill if it passes.

The Capital question seems to be settled. Sacramento is to have everything save the Supreme Conti, which is to come to San Francisco. This is the arrangement which now has the favor of the managing nee in the Legislature.

which is to come to San Francisco. This is the arrangement which now has the favor of the managing men in the Legislature.

The Senate lately passed a bill providing for the appointment of a State goologist by the Governor, with a salary of \$6,000 per year. The Assembly passed the act, with an amendment, that Professor J. D. Whitney of Northampton, Mass., should be the goologist, and that in care of his death or resignation, Louis Agassiz should have the authority to appoint a successor. The enate has now to act on the bill again. Some fault as been found with giving such authority to Agassiz. The Alta of this morning romarks:

"Undoubtedly it is a great honor to him, but he deserves it. It is a nuch as to say. We, the Legislatura of Guifornia knowing that its Governor is not a geologist, and is not competent alone to select a proper man to make a recologist survey-knowing how he would be beset by politicians if he had power to make the appointment—and the great danger that he would be influenced by them, and busiving you to be houser, and the most competent man in the United States to have such power, hereby coniers upon you. We perceive nothing improper, nothing underrified in wing such language, or acting in accordance with unbideas. Nobeloy can beneatly define that any political officer of the United States; and in one alse competent, there exists a conferent in conferring the authority on an intividual who, is no elected in conferring the authority on an intividual who, is no elected in conferring the authority on an intividual who, is no cleared in the attention lights of the age—whose place as one of the first physicists of modern times, is universally admitted among the learned men of Europe, and whose character stands as attention feature of Europe, and whose character stands as attention feature of Europe, and whose character stands as attention feature of Europe, and whose character stands as attention feature. It is not a reconstruction.

Judge McAllister of the U. S. District Court has con-

Judge McAllister of the U.S. District Court has confirmed the Suscol ranch claim, including the stees of Vallejo and Benicis, 60,000 acres in all. It will help the Vallejo and Marysville Railroad.

John Wise, the seronaut, has addressed a letter to a friend in this city, unforming him that if the citizens of San Francisco would furnish a balloon, he (W.) will try to cross the continent in it.

The normal charter election of Marysville was held on the 19th inst. The total number of votes cast was 1.456. The Citizen's ticket was victorious for the most important offices over the Administration, but the latter

I 456. The Citizen's licket was victorious for the most important offices over the Administration, but the latter have the majority of the Council. The following is a list of the officers elected: Mayor, Mr. Fowler; Recorder, Mr. Kyle; Cle & Mr. Gorbam; Marshal, Mr. Barkley; Assessor, Mr. Leaman; Treasurer, Mr. Scarr; Aldermen-Mestre. Wenke, Love, Walker, Woods, Mano, Esbom, Hudson, Dickey, Shields, Thomas, Davis, and Haun.

BY PONY EXPRESS.

From Our Own Correspondent.
SAN FRANCISCO, April 3, 1866. The first Overland Pony Express mail leaves here today. The mail will be taken from here to Sacramento by steamer, thence to Folsom by rail; thence to Genos by stoge, if such a conveyance can make its way over the mountains; if not, then on horseback, and from Genoa to St. Josephs, Missoari, the proper Pony Express arrangement will be used. From St. Josephs the rail and wire will communicate the news throughout the

Union. The main event of the last formight, has been the arrival of the United States steamer Powhatan, from Japan, with the Japanese Embaseadors for Washington. There are 72 of the illustrious etrangers, 20 of them men of rank, the remaining 50 servants and soldiers. The following are the names of

the chief men:
Simme Bujen-to-kami, First Embassador.
Muraghe-Awage-no-kami, Second Embassador.
Ogure Eungo-no kami, First Associate and Remembrancer.
Morita Ukataro, Vice-Governor of Yeddo, Second Associate

reasurer. use Gensiro. Skahara Jhugoro, officers of the first rank be-

longing to the Embassadors.

Include Cristic Combined Combined Combined to the First Associate and Remembrancer.

Matemato Samujto, Yosida Sagosalmou, Uniter Officers belowing to the First Associate and Remembrancer.

Matemato Samujto, Yosida Sagosalmou, Uniter Officers belowing to the Embassadors.

Manuta sunjaro, Tuge Hosingoro, Under Officers of the Vice-Covernor. Governor.

huri-ima-hico-harsiro, Sewosawa-Scogero, Under Officers of the First Associate, &c.

e First Associate, &c. Namura Gohatsiro, Tatelsh Tokujuro, Tateish Onagero, Inter-

Meodake, Morayama, Cowasaki, Doctors.

The Powhatan is leaking badly, and has gone to the dry-dock, at Man Island, for repairs. She has now been three days, and will require several days more to finish. As soon as she can be got ready for sea, she will start for Panama. The Embassadors have epent several days in this city as guests of our municipality. They have been treated with the greatest consideration. Yesterday they had a grand dinner sad reception at the Academy of Music. They are pleased with the Americans, and the Americans with them. The officers of the Powhatan have but one fault to find with them, and that is that their books and little toilet articles are covered with pletures, which a They do not possess our delicacy in this respect. Their ideas in regard to such things resemble those of the ancient Greeks and Romans in their degenerate days.

The Powhstan stopped ten days at Honolula where the Hawniian Court honored the Japanese with great attentions, and offered to make a treaty with them, but the Embassadors said they had no authority, and referred Minister Wyllie to the Court of Yeddo.

On the 30th ult. the Japanese Embassadors were brought down to this city from Man Island by the United States steamer Active, which vessel fired a salute to the Japanese a samer Candinmarroh, lying at the same place. The wad from one of the gens struck Commodere Convingham, who is in charge of the Navy Yard there, and to jured him seriously. At one time it was thought he could not recover; now the physicians hope to save him and his sight; one of his eyes was much burnt, the other had been blind

The Levislature has appropriated \$100,000 to build a Capitot in Sacramento-the whole expense not to experd \$500,000.

The Bolkhead bill has passed the Senate.

During March 80,982 cances of gold bullion, with short \$1 500 000 were deposited in the Mint; 22764 ounces of silver, worth about \$30,000 were purchased, and \$1,582,577 were coined in gold and silver.

The number of passengers who arrived by seaduring the first quarter of this year, is 8.973; departed, 4,789, showing a gain of 4,184.

We have had a large amount of rain, and many of the rivers are at flood-hight, but we have not heard, as yet, of any serious damage.

An important and costly mining canal has been finisled at Big Oak Flat, Toolaune County. It bascost four years of labor, and \$400,000 in money. I supplies 1,668 inches of water, according to minere'maasurement.

The Washoe excitement continues, but the mish to cross the mountains will be arrested by the snowwhich bas lately fallen on the mountains. We fear that the suffering of these persons on the Sierra during the storm has been revere. There is danger also of starvaion in the silver districts. There is no grass or grainon the mountains or on the other side with which to feed horses, and therefore it is almost impossible to take any provisions across through the soow. A correspondent of The Alta, writing from Placerville under late of

the 17th ult., eave:

"Let me admonish all Washoeites, through the columns of 'your valuable paper,' to just stay for the present where they are San Francisco, Sacraneuto-almost any piace will be found more comparative tegree. almost any piace will be found more comfortable has this village—ever miserable to a comparative tegree, new rendered superlatively so by an influx of airsog re-for whose entertainment there are no sufficient secon-modations. Here we are, some three hundred of us already, the number daily anginenting, crammed into botels ranging from indifferent down to descitable, with high prices and low diet, waiting for such chances with high prices and low diet, walting for such chances as a few crappled miles and a one-horse stage affords, for putting us over the mountains. This is really too bad. Here are the people of this village day forewarned of the advent of the multitude now in their nidst, and they all the while insisting that there is the only read over the Sierra fit to be traveled, and yet the sole facilities for the property of the multitude in the side of the multiple for the